

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOHN DOE : CIVIL ACTION  
v. :  
ELITE LIVING HOME CARE, ELITE : NO. 24-1035  
LIVING HOME CARE LLC :  
:

**ORDER**

AND NOW, this 21<sup>st</sup> day of August 2024, upon considering defendants' motions to dismiss (DI 13, 15), plaintiff's response (DI 17), defendants' reply (DI 18), and following oral argument held on August 13, 2024, it is **ORDERED**:

1. Defendants' motion to dismiss (DI 13) is **GRANTED**.
2. Defendants' motion to dismiss (DI 15) is **DENIED as moot**.
3. The Clerk of Court is **DIRECTED** to strike plaintiff's improperly named second amended complaint (DI 14).
4. We **dismiss** this case without prejudice. Plaintiff has leave to replead no later than **September 4, 2024**.



**MURPHY, J.**